

PUBLIC CHAPTER NO. 143**HOUSE BILL NO. 1329****By Representative Briley****Substituted for: Senate Bill No. 1670****By Senator Jackson**

AN ACT to amend Tennessee Code Annotated, Title 16, Chapter 8, Part 3 and Title 55, Chapter 10, Part 3, relative to municipal courts and municipal ordinances.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 3, is amended by adding the following new section to be designated as § 55-10-307:

§ 55-10-307.

(a) Any incorporated municipality may by ordinance adopt, by reference, any of the appropriate provisions of §§ 55-8-101 -- 55-8-180, 55-10-101 -- 55-10-310, 55-50-301, 55-50-302, 55-50-304, 55-50-305, 55-50-311, 55-10-312, and 55-12-139, and may by ordinance provide additional regulations for the operation of vehicles within the municipality, which shall not be in conflict with the provisions of such sections. All fines, penalties, and forfeitures of bonds imposed or collected under the terms of §§ 55-50-311 and 55-50-312, shall be paid over to the appropriate state agency as provided in § 55-50-604.

(b) The offenses enumerated in subdivisions (b)(1)-(4) are state offenses and any person arrested for violation of any such offense shall be tried for violation of state law in state courts or in courts having state jurisdiction in which such jurisdiction shall be exclusive. Any existing ordinance presently regulating any of the enumerated offenses and any such ordinance enacted after July 1, 1977, is hereby declared to be void and of no effect. The enumerated offenses are as follows:

(1) Driving while intoxicated or drugged, as prohibited by § 55-10-401;

(2) Failing to stop after a traffic accident, as prohibited by part 1 of this chapter;

(3) Driving while license suspended or revoked, as prohibited by § 55-50-504;

(4) Drag racing, as defined and prohibited by § 55-10-501; and

(5) Possession of five (5) or more grams of methamphetamine, as scheduled in § 39-17-408(d)(2) while operating a motor vehicle in this state. A motor vehicle is in operation if its engine is operating, whether or not the motor vehicle is moving.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 26, 2007

A handwritten signature in black ink, reading "Jimmy Naifeh", written over a horizontal line.

JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

A handwritten signature in black ink, reading "Ron Ramsey", written over a horizontal line.

RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 10th day of May 2007

A handwritten signature in black ink, reading "Phil Bredeesen", written over a horizontal line.

PHIL BREDESEN, GOVERNOR